## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

## **NOTICE OF APPEAL (Criminal)**

United States of America,	8:15 CR -239 8:13 CR- 108 District Court Case Number
Plaintiff, vs.	) ) ) )
Kirk J. Cottom ,  Defendant.	) ) )
Notice is hereby given that <u>Ki</u>	rk J. Cottom  peals to the United States Court of Appeals for the Eighth
Circuit from the:	
☑ Order (Specify) <u>Denial of Management</u>	lotion to Suppress (Filing no. 155), Motion in Limine
/ Daubert Motion (215/216) a	and Denial of Motion to Withdraw Guilty Plea
entered in this action on (Specify date(s	s)) _December 17, 2015
	s/_ Joseph L. Howard, #22473
	Attorney or Pro Se Defendant
CERTIF	ICATE OF COMPLIANCE
I hereby certify that:	
<ol> <li>I have filed or served cop Court and all counsel of</li> </ol>	pies of this notice of appeal upon the United States District record.

Date

s/ Joseph L. Howard

Attorney or Pro Se Defendant
Dornan, Lustgarten, & Troia PC LLO

1403 Farnam Street, Suite 232

(402) 884-7044

I have completed and attached an Information Sheet to this Notice of Appeal.

2.

(402) 884-7045 (fax)

jhoward@dltlawyers.com

## **INFORMATION SHEET - CRIMINAL**

TO BE COMPLETED BY ATTORNEY FOR APPELLANT

1.	Defendant's Address: Defendant awaiting BOP Placement
	Defendant currently in the Cass County Jail
2.	Date of Verdict: Not Applicable Entered Plea 8-23-15
	JuryX Non-Jury Bail Status
	Offenses:  Accessing With intent to view Child Pornogrpahy  Receipt of Child Pornography
	Trial Testimony - Number of Days
3.	Sentence and Date Imposed:  72 months; Supervised release for a term of 6 years. Date imposed 12/17/15.  Consecutive Sentences on both Dockets
4.	Appealing: Sentence Conviction Both _x& others
	Challenging: Application of Sentencing Guidelines Constitutionality of Guidelines X Both Application and Constitutionality
5.	Date Trial Transcript ordered by Counsel or District Court:
	Name, Address, and Phone Number of Court Reporter or Transcriber in Charge of Preparing Transcript: <u>Tiwauna Lawrence</u>
111	S. 18th Plaza, #3259
	naha, NE 68102
6.	Trial Counsel was:x AppointedRetained
	Does Defendant's financial status warrant appointment of counsel on appeal? X Yes No
	Affidavit of Financial Status filed: Yes
	Is there any reason why trial counsel should not be appointed as counsel on appeal? YesX No
7.	Name and Phone Number of Assistant U.S. Attorney: Mike Norris 1620 Dodge Street, Suite 1400
	Omaha, NE 68102